



ZONING BOARD OF APPEALS
TOWN OF WEST HARTFORD
50 SOUTH MAIN STREET
WEST HARTFORD, CT 06107-2431
TEL: (860) 561-7555 FAX: (860) 561-7504
www.westhartfordct.gov

Petition # 15-19
Fee \$ 430

ZONING APPLICATION FOR: (check one of the following)

☒ **VARIANCE** ☐ **SPECIAL EXCEPTION**
☐ **APPEAL RULING OF ZONING ENFORCEMENT OFFICER** ☐ **MOTOR VEHICLE DEALER/ REPAIRER LOCATION APPROVAL**

LOCATION OF

PROPERTY 43 Van Buren Ave.

Boulevard

R-10

(NEAREST CROSS STREET)

(LOT #)

(ZONING DISTRICT)

APPLICANT Joanna and Benjamin Myers 43 Van Buren Ave.

(NAME)

(ADDRESS)

703-600-9511

(TELEPHONE #)

benjaminmyers.4

(EMAIL)

benjamin.myers.j@gmail.com

APPLICANT'S INTEREST IN PROPERTY Owner

RECORD OWNER OF PROPERTY Joanna Myers 43 Van Buren Ave.

(Name)

(Address)

DATE OF PROPERTY ACQUIRED BY PRESENT OWNER July 2, 2019

DESCRIBE YOUR APPLICATION: Include applicable sections of the Zoning Ordinance. For applications for a VARIANCE, state legal hardship. Attach second sheet, if necessary. This application must be accompanied by the required fee, site plan(s), and any other information required by the Zoning Ordinance, or Rules of the Board.

See attachment

See attachment

See attachment

See attachment

The undersigned warrants the truth of all statements contained herein and in all supporting documents to the best of his/her knowledge and belief. Furthermore, the applicant agrees that submission of this document constitutes permission and consent to Board and Staff inspections of the site. *Note: Notice is hereby given the Connecticut Department of Public Health must be notified by applicants for any project located within a public water supply aquifer protection area or watershed area. (CTDPH website at <http://www.ctdph.state.ct.us>)*

Joanna Myers 9/25/19
SIGNATURE OF PROPERTY OWNER & DATE

(Also print or type clearly)

Benjamin Myers 9/25/19
SIGNATURE OF APPLICANT & DATE

(Also print or type clearly)

Attachment to Zoning Application – Variance

**Joanna and Benjamin Myers
43 Van Buren Ave.**

We respectfully request that the West Hartford Zoning Board of Appeals grants a variance to allow us to fully utilize the interior attic space in our home. With more detail described below, our request is as follows:

- We have a building permit to build a shed roof dormer in the back of our home;**
- Because of the Zoning regulations, without a variance, our hardship is that we can only finish a portion of the attic living space;**
- If a variance is approved, we will be able to fully utilize and finish the attic space;**
- Granting the variance has no impact on the outside visuals of the property.**

The residential districts outlined in Zoning Code Section 177, Attachment 3 and the definition of “Story” in Zoning Code 177-2 specify a limit on the number of stories that a home may have. Without a variance, finished space in an attic is limited to 1/3 of the square footage of the floor area beneath.

Our home is considered a 2 1/2 story home. Built in 1927, it has a very steep roof pitch of 12/12. To better utilize the space and provide more natural light in the attic space, we applied for and received a permit to add a shed roof dormer in the back of the house. If a variance is not granted, we have a hardship because a significant portion of the square footage available in the third floor cannot be used as finished space because the livable square footage in an attic is limited to 1/3 of the square footage of the floor area beneath. Because of the steep roof pitch on our house, almost the entire attic space could be utilized as living space. The 1/3 restriction means that we cannot finish the maximum available space, and we are limited to only a small portion of it, leaving the vast majority of potential usable space unfinished.

If our application for a variance is approved, we will be able to better utilize the interior space by adding a bathroom and additional finished living space. We understand that the intent of the Zoning rules is to keep the height of homes in a neighborhood in harmony with each other. However, in this instance, granting a variance will not have any impact on neighboring properties or the exterior of our home.

In addition, the houses on our block have similarly steep roof pitches, and many of them have dormers on the third floors. Our adding the dormer and your approval of the variance would be consistent with the visual aesthetic of the homes on the block. Examples of homes with dormers on the third floor include, 39 Van Buren (property

adjacent to ours), 40 Van Buren, 37 Van Buren, 36 Van Buren, 32 Van Buren, 31 Van Buren, 30 Van Buren, and 21 Van Buren.

We ask that the Zoning Board of Appeals approves our variance application because:

- Granting the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances;
- The variance request will not adversely impact neighboring properties and will not alter the exterior visuals of the property;
- The variance is in character with the surrounding properties;
- The variance is necessary in order for the property owners to best utilize the interior space of the house; and
- A building permit has been obtained for the building of the dormer, and the owners will obtain an updated permit with the new interior layout.

Attached supplemental information:

- Current approved floor plan and shed roof dormer
- Photos of home















